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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION
13

14 ELECTRONIC FRONTIER FOUNDATION,

15 Plaintiff,

16 v.

17 DEPARTMENT OF DEFENSE, *et al.*,

18 Defendants.
19
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Case No. CV 09-5640 SI

**STIPULATION TO CHANGE TIME
FOR FURTHER CASE MANAGEMENT
CONFERENCE**

21 Pursuant to Fed. R. Civ. P. 6(b)(1) and Civil L.R. 6-2, the parties, by and through
22 undersigned counsel, hereby stipulate and respectfully move for this Court to change the date of
23 the Case Management Conference from September 10, 2010 to October 15, 2010. The requested
24 change will not affect the present schedule for the case. In accordance with Civil L.R. 6-2(a), this
25 stipulation is supported by the Declaration of Kimberly L. Herb, counsel for Defendants, filed
26 herewith and a proposed order below.
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1 The parties jointly request this extension to allow Plaintiff time to review Defendant
2 Department of Justice, Criminal Division's final release of documents, which is scheduled for
3 September 30, 2010. By changing the case management conference to October 15, 2010, the
4 parties will have sufficient time to plan for and schedule dispositive motions and to narrow the
5 issues requiring resolution by the Court. The parties are currently in active discussions regarding
6 case management and plan to have a proposed motion schedule to the Court in the next Case
7 Management Conference Statement.

9 On June 10, 2010, the parties filed a stipulation and proposed order to change the time for
10 filing dispositive motions until after the Case Management Conference on July 16, 2010. Dkt.
11 No. 16. The Court signed the proposed order on July 6, 2010. Dkt. No. 18. On July 9, 2010, the
12 parties filed a Joint Case Management Statement, Dkt. No. 19, and appeared for the Case
13 Management Conference on July 16, 2010. At that time, the parties informed the Court that they
14 planned to meet and confer by August 31, 2010 to determine the issues remaining in this action
15 and to propose a timeline for the resolution of those issues. The parties met on August 30, 2010
16 and discussed a tentative motion schedule. The parties intend to meet again in early October,
17 2010 and still believe that briefing on dispositive motions with regard to all the current
18 Defendants and subcomponents can commence this year.

20 The requested time modification should not adversely affect the Court's schedule because
21 the parties are in active discussions about the schedule for dispositive motions. Granting the
22 request would allow the parties time to narrow the issues for the Court.

24 * * *

25 The parties hereby respectfully request that the Court change the time for the Case
26 Management Conference from September 10, 2010 to October ²⁶~~15~~, 2010, or to the Court's earliest
27 convenience thereafter.

1 DATED: September 3, 2010

Respectfully submitted,

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3 /s/ Jason Schultz
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13 Attorneys for Plaintiff

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17 **ORDER**

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.



19 Dated: _____

20 SUSAN ILLSTON
United States District Judge

GENERAL ORDER NO. 45(X) CERTIFICATION

I attest that I have obtained Jason Schultz's concurrence in the filing of this document.

/s/ Kimberly L. Herb

Kimberly L. Herb

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